

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69143 of 2023

Arising Out of PS. Case No.-258 Year-2022 Thana- MAIRWAN District- Siwan

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1. SALAMUDDIN ANSARI son of Late Karamtullah Ansari Village- Babhnauli Chotki Babhnauli Saheb ji ke mathiya Ps- Mairwa Dist- Siwan
 2. RAUSHAN TARA @ ROSHAN TARA wife of Salamuddin Ansari Village- Babhnauli Chotki Babhnauli Saheb ji ke mathiya Ps- Mairwa Dist- Siwan
 3. NAJBUN NESHA wife of Late Karamtullah Ansari Village- Babhnauli Chotki Babhnauli Saheb ji ke mathiya Ps- Mairwa Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioners and the State.

2. This is second anticipatory bail petition with regard to petitioner Nos. 1 and 2. Earlier, the petition, filed for grant of anticipatory bail on behalf of petitioner Nos. 1 and 2, stood dismissed as withdrawn, *vide* order dated 20.06.2023 passed in Cr. Misc. No. 907 of 2023.

3. Learned counsel for the petitioners fails to point out any change of circumstances or new ground.

4. In view of the recent judgment of the Hon'ble Supreme Court in the case of *G.R. Ananda Babu Vs. State of*



Tamil Nadu and Anrs reported in **2021 SCC OnLine SC 176**, the second anticipatory bail on behalf of the petitioner Nos. 1 and 2 is not maintainable. It is, accordingly, dismissed.

5. Petitioner No. 3 apprehends arrest in a case registered for the offences punishable under Sections 304(B), 302, 120(B)/34 of the Indian Penal Code.

6. Allegation against this petitioner is of killing the daughter of the informant due to non-fulfillment of demand of dowry.

7. Petitioner is mother-in-law of the deceased.

8. It is submitted that there is general and omnibus allegation against the petitioner. Petitioner is separate in mess and property and she is not concerned with the family affairs of the deceased. Thrust of accusation is against husband of the deceased who is already in custody. Petitioner has got clean antecedent.

9. Considering the fact that thrust of accusation is against husband of the deceased who is already in custody, this anticipatory bail is allowed with regard to petitioner No. 3 and it is ordered that let the above named petitioner No. 3 in the event of her arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-



bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VII, Siwan in connection with Mairwa P. S. Case No. 258 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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